

1
2
3 **UNITED STATES DISTRICT COURT**
4 **NORTHERN DISTRICT OF CALIFORNIA**
5 **SAN JOSE DIVISION**
6

7 SVB FINANCIAL GROUP,

8 Plaintiff,

9 v.

10 FEDERAL DEPOSIT INSURANCE
11 CORPORATION, AS RECEIVER FOR
SILICON VALLEY BANK, et al.,

12 Defendants.

Case No. 24-cv-01321-BLF

**ORDER STRIKING STATEMENT
REGARDING FDIC-R1'S DEFENSIVE
SETOFF RIGHTS**

13
14 On May 2, 2024 Defendant FDIC-R1 filed a statement identifying certain defensive setoffs
15 that FDIC-R1 intends to raise in this action. The Court will exercise its inherent authority and
16 hereby STRIKES the statement. The power to strike filings is within the district court's "inherent
17 powers that are 'governed not by rule or statute but by the control necessarily vested in courts to
18 manage their own affairs so as to achieve the orderly and expeditious disposition of cases.'" *Dietz*
19 *v. Bouldin*, 579 U.S. 40, 45 (2016) (quoting *Link v. Wabash R. Co.*, 370 U.S. 626, 630–31 (1962)).
20 FDIC-R1's statement does nothing to advance this litigation and requests no relief. To the extent
21 that FDIC-R1 wishes to raise these defenses, it may do so in a motion to dismiss or its responsive
22 pleadings.

23
24 **IT IS SO ORDERED.**

25
26 Dated: May 3, 2024

27 
28 BETH LABSON FREEMAN
United States District Judge